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Governor

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Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

S/017/0031
0004

April 21, 2009

CERTIFIED RETURN RECEIPT
7005 2570 000 4801 6997

Ken Wedritch
Unico, Inc.
8880 Rio San Diego Dr. 8th FL
San Diego, California 92108

Subject: Final Assessment for State Notices of Violation No's. NM2008-41-04 and NM2008-41-05, Unico, Inc., Bromide Basin Mine, S/017/0031, Garfield County, Utah

Dear Mr. Wedritch:

On January 14, 2009, the Division sent you a proposed assessment associated with Notice of Violation No's NM2008-41-04 and NM2008-41-05. Under rules R647-7-106 & R646-7-107, you are allowed 30 days from the receipt of the proposed assessment to request a conference or hearing to review the fact of the violation or assessment. Our records indicate that you received the proposed assessment on January 20, 2009, and you should have requested a conference or hearing on or before February 19, 2009. We have no record showing such a request; therefore, under R647-7-108 the opportunity to appeal is past and the proposed assessment is now considered final.

The finalized penalty for each of the notices of violation are (see attached worksheets):

MN2008-41-04 - \$242.00

MN2008-41-05 - \$484.00

The Total penalty in the amount of \$726.00 is now due and payable. Please remit payment to the Division, c/o Vickie Southwick. Failure to provide the required payment within 30 days may result in civil action in the appropriate district court.



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Ken Wedritch
S0170031
April 21, 2009

Thank you for resolving this situation. Please call me at (801) 538-5310 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lynn Kunzler', with a stylized flourish at the end.

Lynn Kunzler
Assessment Officer

LK:vs
Attachments: Final Assessment Worksheets
cc: Vicki Bailey, Accounting
Vickie Southwick, DOGM.
Steve Alder
O:\M017-Garfield\S0170031-Bromidebasin\non-compliance\MN2008-41-04\finass-2519-04162009.doc

UTAH DIVISION OF OIL, GAS AND MINING
WORKSHEET FOR FINAL ASSESSMENT OF PENALTIES

COMPANY: Unico, Inc

PERMIT #: S/017/031

VIOLATION #: MN-2008-41-05

ASSESSMENT OFFICER:  Date: April 15, 2009

	Proposed Assessment	Final Assessment
(1) History/Previous Violations	<u>0</u>	<u>0</u>
(2) Seriousness	<u>20</u>	<u>20</u>
(3) Negligence	<u>7</u>	<u>7</u>
(4) Good Faith	<u>0</u>	<u>-5</u>
Total Points	<u>27</u>	<u>22</u>

TOTAL ASSESSED FINE: \$ 484.00
(Based on Final Assessment Points)

NARRATIVE:

(Brief explanation for any changes made in assignment of points and any additional information that was available after the proposed assessment.)

Abatement of this violation is classified as a 'difficult abatement'. Inspector indicated that the operator used diligence in abating the violation which is considered normal compliance. -5 Good faith points are awarded. this is midpoint in the range.

UTAH DIVISION OF OIL, GAS AND MINING
WORKSHEET FOR FINAL ASSESSMENT OF PENALTIES

COMPANY: Unico, Inc
PERMIT #: S/017/031
VIOLATION #: MN-2008-41-04

ASSESSMENT OFFICER:  Date: April 15, 2009

	Proposed Assessment	Final Assessment
(1) History/Previous Violations	<u>0</u>	<u>0</u>
(2) Seriousness	<u>3</u>	<u>3</u>
(3) Negligence	<u>8</u>	<u>8</u>
(4) Good Faith	<u>0</u>	<u>0</u>
Total Points	<u>11</u>	<u>11</u>

TOTAL ASSESSED FINE: \$ 242.00
(Based on Final Assessment Points)

NARRATIVE:

(Brief explanation for any changes made in assignment of points and any additional information that was available after the proposed assessment.)

Abatement is considered as normal compliance under an easy abatement scenario - good faith points are not available.